

I have never before written to the FCC.

But I am writing to you today, because the Commission is considering regulatory changes that would outlaw a huge class of technology. Specifically, I hope to express why the compulsory Broadcast Flag compliance proposal discussed in Proceeding 02-230 is such a bad idea.

For you to make compliance with the BPDG's broadcast flag into a legal requirement would undermine my freedom as a law-abiding citizen.

The BPDG proposal effectively bans me from watching digital TV on anything that is built so I can tinker with it. It bans me from building my own digital TV in my basement, unless I buy and incorporate a special flag-compliant component. It's not clear that I'll be able to find an interoperable part, let alone buy it on a hobbyist's budget. The tamper-resistance provisions of the proposal's "Robustness Requirements" abridge my First Amendment liberty to write a neat program that shows digitally broadcast content and then give its source code to my friends.

Not all BPDG participants agreed that mandating broadcast flag compliance would stop copyright infringement. But the copyright owners who got their opinions into the BPDG's final report want you to start regulating every general-purpose digital device made or sold in this nation anyhow.

Please don't.

Most Sincerely Yours

Jonathan Weaver  
Citizen and Patriot